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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,114	06/29/2001	William Anders Peterson	13369 (52AY1379)	6262

7590

10/02/2002

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EXAMINER

PEREZ, GUILLERMO

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 10/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/894,114

Applicant(s)

PETERSON ET AL.

Examiner

Guillermo Perez

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Claim Objections***

Claim 12 is objected to because of the following informalities: the term "inpregnant" should read ---impregnant---. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 7-9, 11, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over G. Forbes (U. S. Pat. 518,946).

G. Forbes substantially teaches the claimed invention except that it does not show that there is a plurality of the field windings in each slot. G. Forbes does not disclose that the outer jacket is a flexible elastomer.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a plurality of the field windings in each of the slots since it has been held that the mere duplication of the essential working parts of a device involves only routine skill in the art. *St Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use flexible elastomer since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

2. Claims 2-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over G. Forbes in view of Washizu et al. (U. S. Pat. 4,227,108).

G. Forbes substantially teaches the claimed invention except that it does not show that the housing and the stator define first and second plenums at first and second ends of the stator.

Washizu et al. disclose that the housing (18) and the stator (10) define first and second plenums (26) at first and second ends of the stator (10). The invention of Washizu et al. has the purpose of providing a connection portion between the external fluid conduits and the internal fluid conduits.

It would have been obvious at the time the invention was made to modify the machine of G. Forbes and provide it with the stator and rotor configuration disclosed by

Washizu et al. for the purpose of providing a connection portion between the external fluid conduits and the internal fluid conduits.

3. Claims 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over G. Forbes in view of B. Broniewski et al. (U. S. Pat. 3,287,580).

G. Forbes substantially teaches the claimed invention except that it does not show that the winding wires form helical shaped longitudinal passages. G. Forbes does not disclose the use of an impregnant disposed in the slots to seal the spaces between adjacent outer jackets and between the outer jackets and walls of the slots.

B. Broniewski et al. disclose that the winding wires (1) form helical shaped longitudinal passages (column 2, lines 2-9). B. Broniewski et al. disclose the use of an impregnant disposed in the slots to seal the spaces between adjacent outer jackets and between the outer jackets and walls of the slots (column 2, lines 2-9). The invention of B. Broniewski et al. has the purpose of decreasing the overall electrical losses due to the currents in the winding as a whole.

It would have been obvious at the time the invention was made to modify the machine of G. Forbes and provide it with the passages shape and impregnant disclosed by B. Broniewski et al. for the purpose of decreasing the overall electrical losses due to the currents in the winding as a whole.

**Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to the Notice of References Cited for further references showing the invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guillermo Perez whose telephone number is (703) 306-5443. The examiner can normally be reached on Monday through Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308 1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305 3432 for regular communications and (703) 305 3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 0956.

Guillermo Perez  
September 30, 2002

  
NESTOR RAMIREZ  
SUPERVISING PATENT EXAMINER  
TECHNOLOGY CENTER 2000